Remarks

Applicants are grateful for the Examiner's indication that Applicants previous arguments in respect of the rejection of claims 1-25 over the Blahut reference are persuasive.

Claims 1, 3, 10, 12, 14, 16, 18, 20, 22 and 24 now stand rejected under 35 USC §102(e) as being anticipated by Hendricks et al (US 6,201,536).

In response, Applicants have made amendments to the claims to clarify certain features in respect of the content providing server and distribution server of the present invention. Firstly, it has been clarified that the content providing server communicates content to a first and second client terminator unit in response to requests for the content. This clarifies that it is the content providing server that serves content (as its name suggests) in response to requests for the content, rather than the distribution server. Secondly, the language describing the features of the distribution server has been clarified to more clearly indicate that the distribution server generates first and second onward data streams in response to controlled data received from the content providing server.

The Examiner argues that the operations center, 202, of Hendricks equates to the content providing server of the present invention. However, Applicants point out that the operation center is not a server and does not communicate content to first and second client terminator units in response to requests for the content. In Hendricks, it is the head end, 208, which has a file server and responds to requests for content. The operations center packages content and transmits it to the head end, but it is solely the head end that communicates the content to set top terminals in response to requests for the content and not the operations center.

The Examiner also argues that the head end, 208, equates to the distribution server of the present invention. From the remarks presented above in respect of the content providing server, it will be clear that the head end of Hendricks cannot be equated to both the content providing server and the distribution server of the present invention.

However, even if one supposes that the operation center and head end of Hendricks correspond to the content providing server and distribution server, respectively, of the present invention (which is firmly denied) it is a specific feature of each of the claims that the distribution server generates first and second onward data streams in response to control data received from the content providing server and which data streams are offset in time with respect to each other by a respective offset value indicated in the control data.

The Examiner has argued that in Hendricks, head end 208 receives control data (column 8, lines 31-44) from the operations center. This is correct. However, the control data referenced by the Examiner does not indicate a respective offset value for offsetting the first and second onward data streams with respect to each other in time. The Examiner cites column 34, lines 31-39 and lines 47-59 as teaching that the control data indicates staggered start times. This is incorrect. The passage cited at column 8 and the passage as cited at column 34 are entirely separate. The control data generated by the operations center and described at column 8, lines 31-43 comprises:

> "a description of the contents of the program package, commands to be sent to the capable head end 208 and/or set top terminals 220, and other information relevant to the signal transmission. The signal may include information on program packages (e.g., channel number, program title, program length, program category, start times, etc.) and menu content (e.g.

menu locations of messages, graphics and video, menu colors, text fonts, sizes and styles, and other menu information)."

There is no teaching that offset values are included in this control data. This is not surprising since the operation center is not a content providing server and does not receive multiple requests for content staggered in time and which would therefore enable it to determine an offset value.

Moreover, the passages cited by the Examiner at column 34, lines 31-39 and lines 47-59 clearly show that it is network manager 214 (which is a component of head end 208) that:

> "determines the channel with the next available staggered start time, compiles all requests that request the same program, and provides the determined channel and the compiled program requests to the file server 215 to locate the appropriate data to be sent to the subscribers".

Accordingly, it is absolutely clear that the control data sent from operations center 202 to head end 208 does not indicate an offset value for staggering streams of data transmitted by the head end. Rather, head end 208 determines the staggering of streams in response to requests it receives.

It seems that the Examiner has again misinterpreted the nature of the present invention. The present invention is concerned with conserving bandwidth between a content providing server and client terminator units. It does this by coupling in line between the content providing server and the client terminator units a distribution server. The content providing server and distribution server are arranged such that an incoming data stream transmitted from the content providing server to the distributing server may be transmitted to first and second client terminator units as first and second onward data streams which are offset in time with respect to each

other by a respective offset value indicated in control data sent from the content providing server to the distribution server. Thus, bandwidth between the content providing server and the distribution server may be conserved.

Hendricks is not at all concerned with the conservation of bandwidth. In fact, it assumes that a high bandwidth is available (see column 6, line 33-36). It is also clear that it is head end 208 (which comprises a file server) which corresponds most closely to the content providing server of the present invention and not the operations center, 202. Accordingly it is clear that the present invention is not anticipated by the Hendricks reference.

The rejection of the remaining claims is submitted to be moot in view of the above. However, for the avoidance of doubt, Applicants make no admissions in respect of the same.

Applicants trust that the application is now in condition for allowance and solicit such action.

An appropriate Petition for Extension of Time is also submitted herewith.

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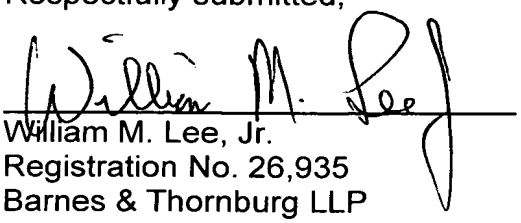
Respectfully submitted,



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